

RESPONSE/REMARKS:

Claims 1, 9-10, 14-15, 27-31, 46-48, 51, 54, and 72-75 were pending at the time of the Action, and remain pending in the Application.

In response to the Office Action (Election of Species), Applicants hereby elect, *without traverse*, the HSV-1 species of *Herpesvirus* as exemplified in **SEQ ID NO:109** for initial prosecution on the merits. *All pending claims read on the elected species.*

SUMMARY:

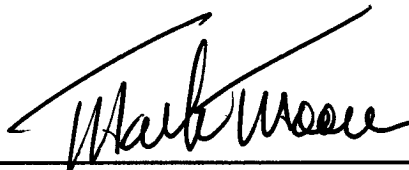
Applicants believe the present submission is complete and timely submitted, and note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should Examiner Hibbert have any questions, a telephone call to the undersigned Applicants' representative would be sincerely appreciated.

Respectfully submitted,

May 12, 2010

Date



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Certificate of Service

I hereby certify that this correspondence is being filed electronically with the United States Patent and Trademark Office via EFS-Web on May 12, 2010.



Michelle Baxter